

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1 and 3-13 are pending. The Office Action rejects Claims 1, 6, 8 and 12 under 35 U.S.C. §103(a) over USP 6,654,018 to Cosatto (Cosatto '018) in view of USP 6,885,761 to Kage and Claims 3-5, 7, 9-11 and 13 under 35 U.S.C. §103(a) over Cosatto '018 in view of Kage and further in view of USP 5,995,119 to Cosatto et al. (Cosatto '119). These rejections are respectfully traversed.

Before considering the rejections under 35 U.S.C. § 103(a), it is believed that a brief review of the subject matter of the independent claims would be helpful. Independent Claim 1 includes a face information transmission system including image acquisition means to acquire an image of the face of a subject, first generation means to generate first image information based on the acquired image, second generation means to generate second image information according to a facial expression of the face of the subject based on the generated first image information, transmission means to transmit generated second image information, utterance acquisition means and image judgment means to judge whether the first image information satisfies prescribed conditions. The image judgment means judges that the first information satisfies prescribed conditions and the second generation means generates second image information according to the facial expression of the face of the subject based at least on the first image information. When the image judgment means judges that the first image information does not satisfy prescribed conditions, the second generation means generates second image information according to the facial expression of the face of the subject based on utterances.

Independent Claim 8 includes a face information transmission system including an image acquisition mechanism, a first generation mechanism, a second generation mechanism,

a transmission mechanism, utterance acquisition mechanism and an image judgment mechanism. The image judgment mechanism judges that the first image information satisfies prescribed conditions. The second generation mechanism generates a second image information according to the facial expressions of the face of the subject based at least on the first image information. When the image judgment mechanisms judges that the first image information does not satisfy prescribed conditions, the second generation mechanism generates second image information according to the facial expression of the face of the subject based on the utterances.

Applicants note that on page 10 of the Office Action it is asserted that the Applicants argue that Cosatto '018 in view of Kage do not teach generating second image information according to the facial expression of the face of the subject based on utterances. However, this mischaracterizes Applicants' argument. In particular, Applicants assert that neither Cosatto '018 nor Kage disclose or suggest that when the image judgment means judges that the first image information does not satisfy prescribed conditions, second generation means generates second image information according to the facial expression of the face of a subject based on the utterances, as in independent Claim 1 and does not disclose or suggest that when the image judgment mechanism judges that the first image information does not satisfy prescribed conditions, the second generation mechanism generates second image information according to the facial expression of the face of the subject based on the utterances, as in independent Claim 8.

The Office Action recognizes that column 2, lines 3-5 of Cosatto '018 uses phonetic and visemic context to select a list of candidates that closely match the phonetic and visemic context of the target. However, this is not the same as the claimed features discussed above.

The Office Action asserts that Cosatto '018 discloses judging whether the image information satisfies a prescribed condition at column 6, lines 6-13. In particular, the Office

Action asserts that images are generated based on checking the predecessor of each image within a frame of the captured video frame to ensure clear and precise animation of facial features and phoneme sequences. As discussed in the Abstract of Cosatto '018 the unit selection process utilizes the acoustic data to determine the target costs from the candidate images and utilizes the visual data to determine the concatenation costs. Thus, although the Office Action asserts that Cosatto teaches judging whether the image information satisfies a prescribed condition, there is no connection between this prescribed condition not being satisfied and generating image information based on utterances, as in independent claims 1 and 8. Thus, Cosatto '018 always uses both audio and visual cost functions.

Kage and Cosatto '119 do not provide the deficiencies of Cosatto '018.

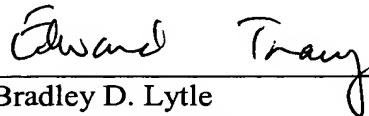
The dependent claims are also patentable for at least the reasons discussed above as well as for the individual features they recite. Withdrawal of the rejection of the dependent claims is respectfully requested.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the telephone number listed below.

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